

MINUTES

Pesticide Advisory Committee October 30, 2006

Present: Scott Armbrust, Gerry Cummins, Leonard Felix, Gordon Hankins, Byron Kunugi, Sandra McDonald, Dale Tanda, Tom Tolkacz, Larry Walker, and Richard Dykstra, Angela Medbery, Peg Perreault, Katy Walker of Colorado Legal Services – Migrant Division, and Mitch Yergert, Dave Joeris, Laura Quakenbush, John Scott, Steve Blunt, Nick Brechun, Carol Barton and Jeannine Coppage of the Colorado Department of Agriculture (CDA).

Tom Tolkacz, Chairman, called the meeting to order at 9:37 a.m.

Pesticide Act Rule Changes: Laura Quakenbush distributed two handouts, the first covering emergency Rule changes for devices which will be presented at the November 13 meeting of the Ag Commission; and the second covering the requirement that dealers of restricted use pesticides (RUPs) now keep records of both state and federal RUPs.

Plant Industry Division Update: Mitch Yergert reported that the Private Applicator (PA) Program staffing is now complete. The two PA inspectors, Matt Lopez and Jim Wynn, began work last August. Mitch introduced Carol Barton who will begin work November 1 as the PA administrative assistant and came from the Animal Industry Division of CDA. Mitch also introduced Nick Brechun, who began work today as the PA enforcement specialist and came from the Inspection & Consumer Services Division of CDA. Reconfiguring of existing cubicles will begin soon to make office space for these new employees.

Sunset/Private Applicator Rules Discussion: John Scott reported the Rules passed at the October 19 meeting of the Ag Commission with no changes. The adopted Rules will be published December 11 and the final Rules will be effective January 1, 2007.

The device licensure Rules are still in development. CDA does not have to create a list of devices; it has been given the authority to do so, but is not required to do so. There is the possibility of creating a device category, which would necessitate the development of a study guide and exam.

The Environmental Protection Agency (EPA) has approved CDA's state certification plan for the PA Program. Peg Perreault reported that the plan is now at EPA headquarters and will be published in the Federal Registry within 2-3 weeks. Peg also wanted to clarify that there will be no formal delegation letter from EPA to CDA.

John reported that Carol Barton will be adapting the existing individual licensure forms and letters for the PA Program. CDA should have the PA licensure packets ready for

mailing by December 1. EPA will try to process all PA applications they receive before December 15; after that, PA applications will be processed by CDA.

Carol will have an additional phone line on her desk, with a voice mail message in Spanish, and CDA will employ a language line service for translation.

Worker Protection Standard (WPS) inspection forms have been developed. Matt and Jim will be traveling to Phoenix, Arizona in mid-November to work with Arizona inspectors and try out the new inspection forms.

CDA should have the capacity to accept credit cards by January 1, 2007.

Pesticide Use Survey Update: Rob Wawrzynski, CDA Groundwater Coordinator, stated that the last survey was done in 1997, using 1996 data. The survey will be electronic this time, which should make it simpler. The goal is to have the survey on-line sometime in January.

Pesticide Applicator Exam Item-Writing Committee Update: Sandra McDonald stated that the exam item-writing committee for Category 109 – Industrial and Right-of-Way Weed Control - had its first meeting on Thursday, October 19, and will meet every other Thursday for three more times. The exam item-writing committee for Category 106 – Forest Pest Control – will have its first meeting on January 16, 2007 and the committee for Category 110 – Public Health Pest Control – will have its first meeting on January 23, 2007. Sandra added that study objectives are being added to the study guides as they are rewritten.

Pesticide Safety Education Program (PSEP) statewide testing: John reported that the plan to utilize Colorado State University Cooperative Extension Offices for pesticide applicator on-line testing has encountered some roadblocks relating to security issues, firewalls, and the state portal system. John has been in discussion with representatives from a company called Metro Institutes, which could possibly be used as the on-line host server in place of CDA. John said that we are probably looking at paper tests with bubble answer sheets for the next year at least.

Enforcement Issues: Steve Blunt brought up four enforcement issues: 1) incomplete pesticide applications (i.e., where the applicator had to return a second time due to weather, etc.) should be recorded by applicators as two applications instead of one; 2) companies making ornamental applications using injection equipment should keep complete records to avoid possible violations; 3) applicators need to understand what spray tank cleaners and neutralizers do, how they work, and how effective they are; and 4) CDA has received complaints about unlicensed applicators spraying for mountain pine beetle in Grand and nearby counties. Steve said that CDA will compile a list of licensed applicators in these areas and post it on the web site. John also said that a letter had been sent out recently to homeowners' associations stressing that the applicators they hire are required to be licensed with CDA.

PAC Member Appointments: The following five members' appointments will expire February 9, 2007:

<u>Member</u>	<u>Representing</u>
Scott Armbrust	Commercial applicator, structural
Gerry Cummins	General public
Fred Dickman	Limited commercial applicator
Leonard Felix	Commercial applicator, agricultural
Tom Tolkacz	Commercial applicator, turf & ornamental

John will send out letters to the associations asking for nominations for these appointments.

The next PAC meeting will be Monday, January 29, 2007.

The meeting adjourned at 11:50 a.m.